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### **REMARKS**

Claims 1-6 are pending in the application. Claims 1-5 have been amended herein. Claims 7-24 have been canceled as being directed to a non-elected invention. Favorable reconsideration of the application, as amended, is respectfully requested.

Applicants have amended the specification to correct minor typographical errors as requested by the Examiner. In addition, applicants have amended the title of the invention so as to be more descriptive of the invention to which the claims are directed.

#### ***I. REJECTION OF CLAIMS 1, 2, 4 AND 6 UNDER 35 USC §102(b)***

Claims 1, 2, 4 and 6 stand rejected under 35 USC §102(b) based on *Aoki* (JP 411306661 A). Applicants respectfully request withdrawal of this rejection for at least the following reasons.

Claim 1, as amended, emphasizes the manner in which the information reproduction apparatus of the present invention selectively provides CLV control or CAV control based on the information length of a respective *piece* of continuous information recorded on a disk-like information carrier. As is discussed in the present application on page 19 and in connection with Fig. 3, for example, each piece of continuous information (e.g., block or file) recorded on the information carrier has an information length associated therewith (e.g., block size or file size). If the piece of continuous information has a size greater than a predetermined size, CLV control is carried out. If the piece of continuous information has a size less than the predetermined size, CAV control is carried out.

As a result, for a given information carrier, a piece of continuous information having a length larger than a predetermined size is reproduced using CLV control. On the same information carrier, a piece of continuous information having a length smaller than the predetermined size is reproduced using CAV control. (See, e.g., claim 2).

The Examiner contends that *Aoki* teaches an information reproduction apparatus that includes selectively providing CLV control or CAV control based on a result of the detection of the information length in the disc-like information carrier as recited in Claim 1. Applicants note that *Aoki* describes an information reproduction apparatus which

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does appear to take into account the lengths of respective files on an optical disc. (See, e.g., English abstract). *However, Aoki does not teach or suggest selecting between CAV control and CLV control in the same manner as the present invention.*

More particularly, the present invention uses CLV control for individual pieces of continuous information on a disk-like information carrier that have a size greater than a predetermined size, and uses CAV control for individual pieces of continuous information on the disk-like information carrier that have a size smaller than the predetermined size. Therefore, a given disk-like information carrier may include pieces of continuous information (e.g., different files) which are reproduced differently (i.e., one via CLV control and one via CAV control).

In *Aoki*, the apparatus takes into account the *total size* of all the files on an optical disc. *Aoki* describes choosing CLV control or CAV control for a disk based on *total file size*, and hence appears to teach the *entire* disk then being controlled either via CAV control or CLV control, depending on the *total size*. *Aoki* does not teach or suggest selectively providing CLV control or CAV control for individual files on the disk based on the detected length of the individual files as recited in amended claim 1.

Accordingly, applicants respectfully submit that *Aoki* does not teach or suggest the invention as recited in claims 1, 2, 4 and 6. Withdrawal of the rejection is respectfully requested.

## **II. REJECTION OF CLAIMS 3 AND 5 UNDER 35 USC §103(a)**

Claim 3 stands rejected under 35 USC §103(a) based on *Aoki* in view of *Ishihara et al.* Claim 5 stands rejected under 35 USC §103(a) based on *Aoki* in view of *Matsudo et al.* Withdrawal of each of these rejections is also respectfully requested.

Claims 3 and 5 each depend from claim 1, either directly or indirectly, and therefore may be distinguished over *Aoki* for at least the same reasons recited above. Moreover, *Ishihara et al.* and *Matsudo et al.* do not make up for the deficiencies in *Aoki*. Accordingly, withdrawal of the rejections is respectfully requested.

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**III. CONCLUSION**


All claims 1-6 are therefore believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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